

REMARKS

Responsive to the Office Action mailed November 29, 2002, Applicants submit the present remarks, and respectfully request reconsideration and allowance of the remaining claims.

Objections to the Specification

The abstract of the disclosure was objected to because of the inclusion of the legal phraseology "means". Applicants have amended the Abstract to remove the word "means" therein. Applicants respectfully request that the Examiner remove the objection.

Rejections under 35 USC § 103

Claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kolodney et al. (U.S. Patent No 6,053,822) or Fariest (U.S. Patent No. D181,633). Applicant respectfully traverses the rejection as follows.

In the Response of September 3, 2002, it was argued that if the inside and outside radius were any smaller, a golf ball would easily fall off the tee, and if the inside and outside radius was any bigger, the bristles will become splayed. In the communication dated November 29, 2002, the Examiner stated that Kolodney et al. suggests that the bristles may be trimmed to limit excessive flair when seating a golf ball. This reference actually supports the applicant's argument as it identifies the problem with flair, however, the reference does not teach or suggest the present invention because it does not teach or suggest eliminating flair as is done in the present invention.

Although not previously addressed in the Response lodged on September 3, 2002, the larger the outside radius of the golf tee, the easier it will be for a golfer to see the tee, while addressing a golf ball on the tee. In the first place, the more sight the golfer has of the tee, the more chance there is of the tee "putting the golfer off". In the second place, in the rules of golf from the USGA and R&A, the ruling on tees to make them legal is that one should not see the tee while addressing the ball, as this may

help show the direction of the hole. In the case of a larger outside radius, this would be a problem if a marking were made on the side of the tee.

Moreover, attached as Exhibit A are the results of calculations conducted by a professional mathematician, Prof. J. N. Ridley. Prof. Ridley has compared the outside radius of the bristles of a golf tee against the horizontal force required to dislodge the ball from the tee, and the "hidden length". The "hidden length" is the length of the tee which would not be visible to a golfer (with a height of 6 feet), while addressing a golf ball. Dr Ridley compares the outside diameters ($2r$) of 5mm, 10mm, 15mm (which corresponds to the golf tee of the invention of Claim 1), 20mm and 25mm.

Prof. Ridley's calculations show:

- 1) With an outside diameter ($2r$) of 15mm, with the golf tee of the invention with the longest bristles (27mm in length), less than half the length of the bristles (8.8mm) would be visible to the six foot golfer.
- 2) In comparison, if the outside diameter ($2r$) is 20mm, with 27mm bristles, more than half the length of the bristles (13.9mm) would be visible to the six foot golfer.
- 3) In a case where the outside diameter ($2r$) the bristles is only 10mm, a wind force of 9.8g will knock a golf ball off the bristles, while it would take a wind force of approximately 40% greater strength (at 15.3g) to knock the same golf ball off the golf tee of the invention which has an outside diameter ($2r$) of 15 mm.

Thus, the outside diameter of the present invention of 15mm provides the ultimate compromise between hidden length and wind force.

Also transmitted herewith in Exhibit B is a cross-sectional view of a golf tee of the invention supporting a golf ball. The average diameter of a golf ball is 42mm. If the cross-section of a golf ball is divided into three sections, the inner core of the golf ball (marked C) has a diameter of 14mm,

which is slightly less than the claimed outside diameter of the support surface of the golf tee of the present invention. It is clear that this dimension provides the optimum surface for supporting a golf ball.

Nor does Fariest not teach or suggest any dimensions for the golf tee as disclosed in the present invention.

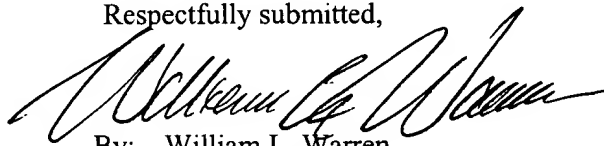
The dimensions claimed in the present invention are not obvious and are the result of extensive research, development and testing by the applicant, which have led to the effective results which are shown by Prof. J. N. Ridley, and which are illustrated in document B. It is respectfully submitted that the dimensions of the annular support surface provided by the bristles of the golf tee of the invention which have not been heretofore described are also not obvious to one of ordinary skill in the art, and that the claims of this application are novel and inventive.

Thus, the applicant believes that the tee, as claimed, is inventive in the light of Kolodney et al. and Fariest, and the rejection should be withdrawn and claims 1-4 allowed..

The foregoing is submitted as a full and complete response to the Office Action mailed November 29, 2002. No additional fees are believed to be due, however, the Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to deposit account no. 19-5029.

If there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (404) 853-8081.

Respectfully submitted,



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